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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,206	03/24/2004	Kennon H. Guglielmo	A02238US (98720.1)	3922

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EXAMINER	
ALI, HYDER	

ART UNIT	PAPER NUMBER
3747	

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No.	Applicant(s)	
	10/808,206	GUGLIELMO ET AL.	
	Examiner	Art Unit	
	HYDER ALI	3747	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-3 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-3 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 24 March 2004 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Inventorship

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertossi (US 6,267,105).

Bertossi discloses in FIG. 5 a pressure regulator and gaseous fuel internal combustion engine, comprising:

(a) an internal combustion engine (not shown) including a fuel line source (32) having an outlet (39) in communication with the engine (not shown), the fuel line including a controllable valve (31) for regulating gaseous fuel pressure at the outlet (39);

(b) a variable venture or fixed venture carburetor (not shown) in communication with the fuel line outlet (39) and the engine (not shown);

(c) a first sensor (38) providing a first signal corresponding to gaseous fuel pressure at the outlet (39);

(d) a controller (6) responsive to the first signal for controlling the valve (31) and regulating gaseous fuel pressure to a desired pressure.

Bertossi does not disclose the controllable valve is a rotary actuated butterfly valve.

It would have been an obvious matter of design choice for one of ordinary skill in the art to modify Bertossi by employing rotary actuated butterfly valve **in lieu of** cigar-shaped valve, because applicant has not disclosed that a rotary actuated butterfly valve would solve specific problem. Further a rotary actuated butterfly valve **would work the same way** as cigar-shaped valve.

Similarly, the limitation of claim 2, would have been obvious matter of design choice of one of ordinary skill in the art by employing desired pressure is set by a user **in lieu of** desire pressure set by the controller, because applicant has not disclosed that desired pressure is set by a user would solve specific problem. Further desired pressure is set by a user **would work the same way** as desired pressure set by the controller.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertossi (US 6,267,105) in view of Keast et al (US 6,340,005) and Saikalis (US 5,355,855).

Bertossi discloses in FIG. 5 a pressure regulator and gaseous fuel internal combustion engine, comprising:

(a) an internal combustion engine (not shown) including a fuel line source (32) having an outlet (39) in communication with the engine (not shown), the fuel line including a controllable valve (31) for regulating gaseous fuel pressure at the outlet (39);

(b) a variable venture or fixed venture carburetor (not shown) in communication with the fuel line outlet (39) and the engine (not shown);

(c) a first sensor (38) providing a first signal corresponding to gaseous fuel pressure at the outlet (39);

(d) a controller (6) responsive to the first signal for controlling the valve (31) and regulating gaseous fuel pressure to a desired pressure.

Bertossi does not disclose the controllable valve is a rotary actuated butterfly valve and the carburetor is a variable venture or fixed venture carburetor in communication with the fuel line outlet and the engine. However, Keast et al discloses carburetor in FIG. 1 and Saikalis discloses rotary actuated butterfly valve (28) in FIG. 1. It would have been obvious to a person having ordinary skill in the art to modify Bertossi by employing rotary actuated butterfly valve and the carburetor **in order to** replace the cigar-shaped valve by the butterfly valve.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertossi (US 6,267,105) in view of Saikalis (US 5,355,855) and King et al (US 5,367,999).

Bertossi discloses in FIG. 5 a pressure regulator and gaseous fuel internal combustion engine, comprising:

(a) an internal combustion engine (not shown) including a fuel line source (32) having an outlet (39) in communication with the engine (not shown), the fuel line including a controllable valve (31) for regulating gaseous fuel pressure at the outlet (39);

(b) a variable venture or fixed venture carburetor (not shown) in communication with the fuel line outlet (39) and the engine (not shown);

(c) a first sensor (38) providing a first signal corresponding to gaseous fuel pressure at the outlet (39).

Bertossi does not disclose the controllable valve is a rotary actuated butterfly valve and a controller responsive to the second sensor signal moving the controllable valve. However, Saikalis discloses rotary actuated butterfly valve (28) in FIG. 1 and King et al discloses a controller (20) responsive to the second sensor signal (98) moving the controllable valve (16). It would have been obvious to a person having ordinary skill in the art to modify Bertossi by employing rotary actuated butterfly valve and the second sensor signal **in order to** replace the cigar-shaped valve by the butterfly valve and to provide second sensor for moving the controllable valve.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HYDER ALI whose telephone number is (571) 272-4836. The examiner can normally be reached on M-F (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, HENRY YUEN can be reached on (571) 272-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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